

REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on March 10, 2004, the Examiner rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Weingarden et al (U.S. Patent No. 6,164,975, hereinafter “Weingarden”) in view of Luh (U.S. Patent No. 6,609,129, hereinafter “Luh”) in further view of Sloane et al (U.S. Patent No. 5,813,863, hereinafter “Sloane”). Accordingly, Applicants respectfully provide the following:

Rejection under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Weingarden in view of Luh in further view of Sloane. Applicants respectfully submit that the claim set as provided herein is not made obvious by the cited references.

An invention is unpatentable under Section 103 “if the differences between the subject matter sought to be patented over the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.”

To establish a *prima facie* case of obviousness, three criteria must be met. “First, there must be some suggestion or motivation . . . to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” MPEP § 2142. Applicants respectfully submit that the claim set as provided herein is not made obvious by the combination of the cited references because neither the cited references nor their combination teach or suggest all the limitations claimed.

More specifically, independent claim 1 claims “a *mechanism that extracts* one or more of the plurality of anchors from the source content to establish a corresponding one or more nodes and a relationship between the one or more nodes” (emphasis added). The Examiner stated that Weingarden “does not specifically disclose . . . establishing one or more nodes and relationships between said nodes as extracted from a plurality of anchors,” so the limitation must be disclosed by either Luh or Sloane to be made obvious.

While Luh teaches a master object that functions as an anchor (Col 3, lines 27-30) and that “establishes and manages the data relationships for a particular product in an information module” (Col 4, lines 13-17), the master object *is* the anchor, serving as an identifier that is simply indexed for retrieval of the information by the bill of material object (Col 6, lines 9-12 and 30-33). It is not, nor is the bill of material object a *mechanism that extracts* the anchors to establish or create the nodes and relationships. Therefore, Applicants respectfully submit that Luh does not teach or disclose the limitation of claim 1.

Similarly, Applicants respectfully submit that Sloane does not teach a mechanism that extracts anchors from the source content to establish nodes and relationships between nodes. Since neither Weingarden, nor Luh, nor Sloane teaches or discloses this limitation on claim 1, Applicants respectfully submit that claim 1 and dependent clauses 2-10 are not made obvious, either by the cited references or by the combination thereof.

Furthermore, independent claim 1 also claims “an output device coupled to the network, wherein the output device renders an *educational test question* that is based on the relationship of the one or more nodes” (emphasis added). The Examiner stated that Sloane teaches an educational system with an output that “presents questions to a user in which said questions are based upon the relationship of one or more multimedia nodes (Col 7, lines 7-12).” However,

while Sloane teaches an educational system that presents questions to the user based upon the multimedia material being taught, said questions are not *educational test questions*, but rather are situational choice questions that are used to change the results of the narrative educational story being presented (Col 6, lines 39-48 and Col 7, lines 7-13 and 37-56). Sloane teaches “subject matter quizzes” (Col 10, lines 6-20), but the quizzes are directed at the overall subject matter, just like any standard examination, and not at the “relationship(s) of the . . . nodes,” as required by claim 1. Therefore, Applicants respectfully submit that none of the cited references teaches or suggests this limitation on claim 1 and that claim 1 and dependent claims 2-10 are not made obvious by the cited references.

In addition, independent claims 11 and 20 claim a method or computer program product that implements a method that comprises “selectively providing one or more *educational test questions*, based on the relationship [between nodes],” (emphasis added). The Examiner stated that Sloane teaches an educational system with an output that “presents questions to a user in which said questions are based upon the relationship of one or more multimedia nodes (Col 7, lines 7-12).” However, while Sloane teaches an educational system that presents questions to the user based upon the multimedia material being taught, said questions are not *educational test questions*, but rather are situational choice questions that are used to change the results of the narrative educational story being presented (Col 6, lines 39-48 and Col 7, lines 7-13 and 37-56). Sloane teaches “subject matter quizzes” (Col 10, lines 6-20), but the quizzes are directed at the overall subject matter, just like any standard examination, and not at the “relationship(s) of the . . . nodes,” as required by claim 1. Therefore, Applicants respectfully submit that none of the cited references teaches or suggests this limitation on claims 11 and 20 and that therefore claims 11, 20, and dependent claims 12-19 are not made obvious by the cited references.

Moreover, independent claims 11 and 20 claim a method or computer program product that implements a method that comprises “selectively establishing one or more relationships between . . . nodes, wherein the relationships are based on at least one of:

- (i) a time and space relation;
- (ii) an objective assignment of meaning relation;
- (iii) a subjective assignment of meaning relation;
- (iv) a planning relation;
- (v) an implementation relation; and
- (vi) a central relation;”

The Examiner stated that Luh teaches “that relationships between the plurality of nodes are based on at least one of a time and space relation, an objective assignment of meaning relation, a subjective assignment of meaning relation, a planning relation, an implementation relation or a central relation (Col 5, lines 13-37 and Col 6, lines 40-45).” Applicants respectfully submit that the cited portion of Luh does not teach nor suggest this limitation. Instead, the cited portion of Luh teaches hyperlinks (Col 5, lines 28-37) that connect the same item master objects in multiple database locations (Col 3, lines 34-42) into a treelike structure for finding the information (Col 5, lines 13-37). The relationship between these nodes is therefore a connection based on similarity of item master objects, not “at least one of a time and space relation, an objective assignment of meaning relation, a subjective assignment of meaning relation, a planning relation, an implementation relation or a central relation.” Therefore, Applicants respectfully submit that none of the cited references teaches or suggests this limitation on claims 11 and 20 and that therefore claims 11, 20, and dependent claims 12-19 are not made obvious by the cited references.

Based on the foregoing, Applicants respectfully submit that the neither the prior art references nor the combination thereof teach or suggest all the limitations claimed in independent claims 1, 11, and 20. Because claims 2-10 and 12-19 depend from these claims, they are also not made obvious. Since the references cited by the Examiner do not teach or suggest each and every limitation of the independent claims, Applicant respectfully submits that the prior art references do not make obvious the claim set.

Thus, Applicant respectfully submits that none of the claims of the claim set provided herein is either anticipated or made obvious from the references cited by the Examiner.

CONCLUSION

Applicants submit that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicants request favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

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Respectfully submitted,



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